NOTIFICATION No. P. 2398—LEGIS. 12-23-5, DATED THE 7th NOVEMBER 1923.

In exercise of the powers vested in them under Section 6 (2) (e) of the Mysore Representative Assembly Regulation, XVIII of 1923, the Government of His Highness the Maharaja are pleased to make the following rule as regards the qualifications and disqualifications of elected members of the Representative Assembly.

Every person who is a non-official and is qualified as an elector in any constituency under the rules published with Notification No. P. 2397—Legis. 12-23-4, dated 7th November 1923, shall be eligible to stand for election, provided that—

(i) such person is not a female;

(ii) the person standing for election to represent the special interest of the Mysore University shall be a Fellow of the University.

By Order,
B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

NOTIFICATION No. P. 2399—LEGIS. 12-23-6, DATED, 7TH NOVEMBER 1923.

In exercise of the powers vested in them under Section 6 (2) (*d*) of the Mysore Representative Assembly Regulation, XVIII of 1923, the Government of His Highness the Maharaja are pleased to make the following rules as regards the holding of elections for returning members to the Representative Assembly.

PART I.

PREPARATION AND PUBLICATION OF ELECTORAL ROLLS.

1. An electoral roll, shall be prepared in English and Kannada for every constituency in which shall be entered the names of all persons appearing to be entitled to be registered as electors for that constituency under the rules published with Notification No. P. 2327—LEGIS. 12-23-4, dated 7th November 1923.

2. In the case of all rural constituencies except the Kolar Gold Fields Sanitary Board area, the electoral rolls shall be prepared by the Amildar or the Deputy Amildar having jurisdiction over the area. In the case of the Kolar Gold Fields Sanitary Board area and the Bangalore and Mysore urban constituencies, the rolls shall be prepared by the Vice-President of the Sanitary Board or of the Municipal Council as the case may be, or in the absence of a Vice-President by the Chief Officer of the Municipality. In the case of all other urban areas the electoral rolls shall be prepared by the Presidents of the respective Municipal Councils.

3. The rolls prepared under rule 1, will be published by the Government or by such other authority as they may appoint in that behalf in the official Gazette and in such other manner as may be approved by Government.

4. Within a period of 3 weeks after the publication of the electoral roll of any constituency, any person whose name is not entered in the roll or any person whose name is entered in the roll and who objects to the inclusion of his name or of the name of any other person in the roll, may prefer a claim or objection to the revising authority hereunder described. An enquiry into such claim or objection will be made by such authority who will pass an order in writing rejecting or admitting the claim as the case may be.

5. The revising authority to whom claims or objections under Rule 4 may be made will be the following :—

All Rural constituencies except the Kolar Gold Fields Sanitary Board area, and all urban constituencies except Bangalore and Mysore.	The officer preparing the electoral roll and two non-officials appointed by the Deputy Commissioner of the District with the officer preparing the roll as chairman.
Kolar Gold Fields Sanitary Board area and the Bangalore and Mysore urban constituencies.	The officer preparing the roll and two non-official members of the Sanitary Board or of the Municipal Council concerned appointed by the President with the officer preparing the roll as chairman.

6. An appeal from an order under Rule 4 may be presented to the following authorities within a week after the communication of such order:—

In the case of all rural constituencies except the Kolar Gold Fields Sanitary Board constituency and all urban constituencies except Bangalore and Mysore.	The Deputy Commissioner of the District.
In the case of the Kolar Gold Field Sanitary Board Constituency and the Bangalore and Mysore urban constituencies.	The President of the Sanitary Board or the Municipal Council.

7. The order of the revising authority, or, where there is an appeal from such order, the decision of the appellate authority, shall be final and the electoral roll shall be amended in accordance therewith and the amendment published in the same manner as the original roll or as Government may direct.

8. The electoral roll thus revised shall continue to be in force for a period of three years or for such period as the Government may prescribe and after the expiration of such period a fresh roll shall be prepared in accordance with these rules.

9. Every person registered in the electoral roll for the time being in force for any constituency shall, while so registered, be entitled to vote at an election of a member or members for that constituency.

PART II.

Conduct of Elections.

A—Rural Constituencies.

1. Whenever a general election to the Representative Assembly or an election to fill up a casual vacancy is to be held, the Government shall fix a date and shall by notification in the Official Gazette not less than six weeks previous to the date fixed for the election and in such other manner as they may decide give due publicity of such date.

2. Such of the eligible persons as wish to stand for election in any rural constituency shall furnish their names in writing to the Amildar or Deputy Amildar or the Vice-President of the Kolar Gold Fields Sanitary Board as the case may be within such time as may be fixed by Government.

3. The said officer shall, if he is satisfied that such persons are eligible to stand for election, prepare a list of such candidates which shall be posted up under his signature in his office. A copy of the list shall also be published in the *Mysore Gazette* by the Deputy Commissioner of the district in which the constituency is situated or by the President of the Kolar Gold Fields Sanitary Board area in the case of the Kolar Gold Fields Sanitary Board Constituency.

4. (1) If the number of candidates standing for election is equal to the number of vacancies, all such candidates shall be declared duly elected.

(2) If the number of candidates is less than the number of vacancies, all such candidates shall be declared duly elected and the Deputy Commissioner shall, by a notification in the Official Gazette and in such other manner as Government may direct, call for fresh candidates for the remaining vacancy or vacancies and have the election conducted in accordance with these rules.

5. If the number of candidates is more than the number of vacancies, a poll shall be taken.

6. There may be more than one polling centre in each constituency and the polling shall take place at such centres and at such hours as may be notified by the Deputy Commissioner and it shall be conducted by an Amildar or Deputy Amildar or the Vice-President of the Kolar Gold Fields Sanitary Board or such other person as may be nominated by the Deputy Commissioner or the President of the Kolar Gold Fields Sanitary Board in this behalf. It will also be open to the Deputy Commissioner or the President to nominate one or two non-officials who may be associated with the polling officer for assisting him in conducting the poll.

7. Every voter is entitled to give as many votes as there are vacancies in the constituency, provided that not more than one vote may be given to the same candidate. A vote for any person whose name is not included in the list of candidates published under Rule 3 shall not be counted.

8. Voters must vote in person.

9. The vote shall be given by ballot.

10. (*a*) The elector shall proceed to a place screened from observation which shall be provided by the polling officer and there mark his vote on the voting paper in accordance with the instructions contained therein.

(*b*) The instructions which will be in Kannada should be clearly explained to any elector requiring such explanation.

(*c*) If an elector is unable to read or write or is, by reason of blindness or other physical defect, incapacitated from recording his vote as required by rule, the polling officer may assist him, if so desired, in marking the vote on the voting paper and a record of the same shall be made on the voting paper and attested by the polling officer.

(*d*) The voting paper should be folded and closed and put into the voting box by the voter himself.

(*e*) Any vote which is not recorded in accordance with the foregoing instructions shall be declared invalid.

11. The ballot box shall be so constructed that the ballot paper can be introduced but not extracted without the box being unlocked, and it shall be securely sealed by the polling officer with his seal.

12. The polling officer shall satisfy himself as to the identity of the persons tendering votes and may refuse the vote of any person who declines to answer any reasonable question put to him for this purpose or whose identity is not established to his satisfaction. He is also responsible for seeing that the votes are recorded with absolute secrecy, that no person who is not entitled to vote is admitted near the voting table and that persons who have recorded their votes leave the place immediately.

13. After the close of the poll, the polling officer shall forthwith have the voting papers scrutinised and the votes counted and announce the results, provided that where this is not practicable or the ballot box has to be sent to taluk or other head quarters for counting, the polling officer shall have the box sealed with his own seal as well as those of such of the candidates or their agents as may wish to do so and arrange for their safe custody until such time as the box is despatched to the telling officer at such headquarters.

14. (i) The box aforesaid shall be opened in a place to which candidates or their agents shall have access.

(ii) The votes shall be scrutinized and those that are valid counted by such persons as the polling officer appoints in this behalf.

(iii) If there is an equal number of votes in favour of each of two or more candidates, and the addition of one vote will entitle any of the candidates to be declared elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the polling officer, and in such manner as he may deem fit.

15. The results of every election shall be certified by the polling officer to the Deputy Commissioner or the President of the Kolar Gold Fields Sanitary Board, as the case may be, who shall report the same to Government for being notified in the *Mysore Gazette*.

B.—Urban Constituencies.

The rules relating to the conduct of elections in rural constituencies shall apply to urban constituencies with the following modifications:—

I. The authority to whom candidates should notify their intention to stand for election shall be the Vice-President or the Chief Officer of the Municipal area concerned in the case of the Bangalore and Mysore urban constituencies and the President in the case of other urban constituencies.

2. The polling officer shall be the President, Vice-President or Chief Officer as the case may be. In case there is more than one polling station, the President may depute a member or members of the Council as polling officer or officers.

3. The certified results of the elections shall be sent to the President who will report the same to the Government for being notified in the Gazette.

C.—Associations representing Special Interests and Minorities.

The election of a member by an association recognised by Government for the representation of a special interest or a minority under the rules framed by them on that behalf shall be made at a general meeting at which not less than 25 per cent of the number of members of the association or 50 members whichever is less, are present. The roll of membership of the association referred to in Rule (d) of the rules laid down in para 23 of G. O. No. 1367-1426—C. B. 100-23-1, dated the 27th October 1923 shall be conclusive evidence of the membership of the association.

When any special interest or minority is represented through more than one association or through an association with branches which are grouped together by Government under rule (c) of the rules referred to above for the election of a member or members to be returned for the representation of the special interest or minority concerned, Government may appoint a special officer for preparing the roll of electors and the conduct of elections. Such special officer shall have power, subject to the general or special orders of Government, to arrange for the poll and declare the results.

In the case of the constituencies formed for the representation of the Mysore University and legal interests, the Registrar of the Mysore Univerisity and the Registrar of the Mysore Chief Court shall be polling officers of the constituencies concerned and the Vice-Chancellor and the Chief Judge or such other person as may be appointed by them shall be the appellate authority in respect of all matters connected with the conduct of elections.

Government may by a special order permit election through postal voting in the case of any special interest or group of associations which in the opinion of Government cannot hold the election at a meeting.

By Order,
B. NAGAPPA,
Secretary to Government,
Local and Legislative Departments.

NOTIFICATION NO. P. 2400—LEGIS. 12-23-7, DATED 7TH NOVEMBER 1923.

In exercise of the powers vested under Section 6 (2), (*f*), the Government of His Highness the Maharaja are pleased to make the following rules as regards the decisions of doubts and disputes as to the validity of any election to the Representative Assembly and the authorities by which they are to be decided.

1. No election shall be valid if any corrupt practice is committed in connection therewith by the candidate elected or at his instance.

2. A person shall be deemed to commit a corrupt practice within the meaning of these rules:—

(i) Who with a view to induce any voter to give or to refrain from giving a vote in favour of any candidate offers or gives any money or valuable consideration or holds out any promise of individual profit or holds out any threat or injury to any person.

(ii) Who himself or through his agent or at his expense feeds or entertains his voters shortly before or after the poll, or pays the expenses of travel or hired conveyance, in order to induce them to give votes in his favour; or

(iii) Who gives, procures, or abets the giving of a vote in the name of a voter who is not the person giving such vote.